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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,202	02/06/2001	David Iain Craig	P519	8810

24739 7590 05/06/2004

CENTRAL COAST PATENT AGENCY  
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EXAMINER
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CHAU, COREY P

ART UNIT	PAPER NUMBER
2644	

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/778,202

Applicant(s)

CRAIG, DAVID IAIN

Examiner

Corey P Chau

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5959610 to Silfvast.
3. Regarding Claim 1, Silfvast discloses an audio mixer controller comprising: an information source storing at least interconnection characteristics and apparatus settings in the system, relative to channel inputs (i.e. a memory for storing and recalling data and control routines) (Claims 1 and 15); a search function accessible by a user, which upon initiation polls the information source (i.e. a CPU for managing operations of the system. Knobs 59 feed rotary information to CPU 61 which communicates on a bus 63 to RAM 65 to maintain position setting values for knobs 59 in operating registers 67. Snapshot signaled caused position setting in registers 67 to be stored in separate registers, such as registers 69, identified for later retrieval) (column 3, lines 16-26); and search criteria associated with the search function for establishing specific information to be matched in a search; characterized in that initiation of the search function causes the search function to poll the information source, and to return channel numbers for those channels that match the search criteria (it is inherent that a computer can perform a file search, wherein specific information is matched in a search, a search function to

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poll information source, and return the information that matches the search criteria for user to see on a monitor and retrieval the information).

4. Regarding Claim 2, Silfvast discloses monitoring interfaces (55) (Fig. 5A) to individual ones of channels in the audio mixing system, wherein the search function samples real-time characteristics at said interfaces in individual channels comparing the samples with search criteria (i.e. CPU stores a snapshot of the real-time operating values associated with each of the rotary knobs in the display in response to a first user signal, the snapshot being stored in an area of memory separate from storage of the real-time operating values, retrieves the snapshot in response to a second user signal, substitutes the snapshot values for the existing real-time values upon retrieval, the snapshot values becoming new real-time values, and updates the images on the video display screen according to the new real-time values) (Claims 6 and 8).

5. All elements of Claim 3 are comprehended by Claim 2. Claim 3 is rejected for the reasons stated above apropos to Claim 2.

6. Regarding Claim 4, Silfvast discloses a facility for saving instances of the search function each with a name related to specific criteria attached, and for selecting and initiating individual ones of the named search functions to perform the associated search and to return channels found in the search (i.e. a signal to store all current settings, often called a "snapshots" in the art, then at a later time, another signal can retrieve the previous settings from memory storage) (column 2, lines 40-48) .

7. Regarding Claim 5, Silfvast discloses the facility for selecting and initiating comprises a display apparatus for displaying individual ones of the search functions by

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name and selection inputs for selecting individual ones of the displayed search functions, to initiate the associated search (column 4, lines 35-48; column 5, lines 49-53; column 6, lines 46-55; column 6, line 61 to column 7, line 6).

8. Regarding Claim 6, Silfvast discloses a function for assigning channels returned by a search to specific ones of control strips of the mixer desk (column 6, lines 21-27; column 6, lines 46-55).

9. Claim 7 is essentially similar to Claim 1 and is rejected for the reasons stated above apropos to Claim 1. Silfvast discloses a mixer desk including a user interface and control apparatus (Figs. 5A and 5B); a mixing engine coupled to the mixer desk (abstract) for mixing audio on input channels and providing an audio output; and computerized controls for managing activities of the mixing system (Figs. 5A and 5B).

10. Claim 8 is essentially similar to Claim 2 and is rejected for the reasons stated above apropos to Claim 2.

11. Claim 9 is essentially similar to Claim 3 and is rejected for the reasons stated above apropos to Claim 3.

12. Claim 10 is essentially similar to Claim 4 and is rejected for the reasons stated above apropos to Claim 4.

13. Claim 11 is essentially similar to Claim 5 and is rejected for the reasons stated above apropos to Claim 5.

14. Claim 12 is essentially similar to Claim 6 and is rejected for the reasons stated above apropos to Claim 6.

15. Claim 13 is essentially similar to Claim 1 and is rejected for the reasons stated above apropos to Claim 1.

16. Claim 14 is essentially similar to Claim 2 and is rejected for the reasons stated above apropos to Claim 2.

17. Claim 15 is essentially similar to Claim 3 and is rejected for the reasons stated above apropos to Claim 3.

18. Claim 16 is essentially similar to Claim 4 and is rejected for the reasons stated above apropos to Claim 4.

19. Claim 17 is essentially similar to Claim 5 and is rejected for the reasons stated above apropos to Claim 5.

20. Claim 18 is essentially similar to Claim 6 and is rejected for the reasons stated above apropos to Claim 6.

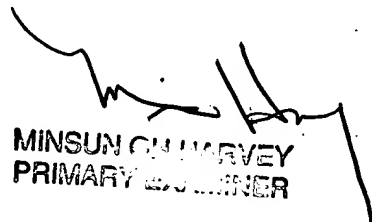
### ***Conclusion***

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corey P Chau whose telephone number is (703)305-0683. The examiner can normally be reached on Monday - Friday 9:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W Isen can be reached on (703)305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 3, 2004



MINSUN CHAE  
PRIMARY EXAMINER